

SAFE RETURN OF ARMANDO
TORRES**HON. FILEMON VELA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. VELA. Mr. Speaker, today I rise to join my colleagues in urging the State Department and the government of Mexico to do everything that they possibly can to ensure the safe return of Armando Torres.

It has been over two months since Armando was taken captive by armed gunmen while visiting his father in Mexico. A native of South Texas, Armando served 7 years in the Marine Corps including combat tours in Iraq. Though he survived a war zone, a greater threat to his safety came closer to home when he drove across the Los Indios Bridge into Mexico.

What should have been an uneventful trip became a nightmare for the Torres family when Armando was kidnapped. This is a sadly all too common occurrence in Mexico with as many as 70 kidnappings occurring every day.

The cartel violence in Mexico has had a profound impact on the entire nation with over 60,000 killed.

The unprecedented level of violence has greatly affected the United States as well. Relations with our neighbor to the south have been strained as the free flow of lawful commerce and visitors has been threatened by crime and illegal trafficking. Over 600 U.S. citizens have been murdered in Mexico. We talk about the Global War on Terror, but the cartel violence in Mexico has proven to be a far more deadly threat. We cannot and we will not sit idly by and watch our ally Mexico fight this war alone. We are committed to working together to address the problems which face our two nations.

The number of victims of this deadly war is staggering, but Armando Torres is not just a statistic. He is not just one of the victims of the cartel violence which has ravaged Mexico. He is a Marine, a son, a nephew, a cousin, a husband, and a father. And our nation must do everything in our power to bring him home.

I stand with my colleagues in the United States Congress today in support of Armando. We will not rest until he is returned safely to his family and friends.

INTRODUCTION OF THE "ALEXIS
AGIN IDENTITY THEFT PROTEC-
TION ACT OF 2013"**HON. XAVIER BECERRA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. BECERRA. Mr. Speaker, I am pleased to join with my friend and colleague, SAM JOHNSON, to introduce this bipartisan legislation to protect Americans from identity theft.

I have long been concerned about the problem of identity theft, where all too often the Social Security number, SSN, which is assigned to make sure Americans get their earned Social Security benefits, is the key to committing fraud. For a number of years, Chairman JOHNSON and I have worked together on a bipartisan basis with other members of our Social Security Subcommittee to

find ways to better protect Americans from identity theft.

One of the most troubling forms of identity theft is fraud involving a deceased individual, which victimizes grieving families. Our subcommittee learned about a family that not only lost their young daughter to a terrible cancer—but then was dealt another blow when they found that their child's identity had been stolen and used to collect a fraudulent tax refund.

Our bill aims to stop this fraud in its tracks. It is named in honor of the child whose family asked our Subcommittee to make sure what happened to them did not happen to another family: the "Alexis Agin Identity Theft Protection Act of 2013." No one should have to endure both the loss of a loved one and then the financial stress of dealing with identity theft because a fraudster has appropriated the person's identity.

The Death Master File, DMF, a prime source of SSNs used in identity theft, is a database of death information reported to the Social Security Administration, SSA. However, a lawsuit forced SSA to make this database available to anyone who wants it. SSA needs this information—it is used to make sure earned benefits from the Social Security Trust Fund are only paid to the living. But SSA does not want to make it available to fraudsters, and they should not be required to do so.

Our bill would restrict access to the DMF to legitimate users and release to the general public only death data that is older than three years, at which point it is relatively useless to ID thieves bent on using it for fraud. Over time, our bill also enables the States to take back the responsibility of handling their death data and ends SSA's public release of the DMF for good. The President's budget proposes a similar approach that the Joint Committee on Taxation projects would save \$793 million over ten years by reducing the potential for fraudulent tax refunds. The National Taxpayer Advocate and the SSA Inspector General have also called for the public release of the DMF data to end.

I applaud the bipartisan approach we took to resolving this problem for the American people. I hope we can learn from the Agin family's tragic experience and move swiftly to enact this bipartisan, commonsense measure to reduce the harm of identity theft.

CHAMPION OF HISPANIC YOUTH
JOHN LOPEZ**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor Mr. John Lopez, a resident of my district who passed away on July 2, 2013.

John was born and raised in Santa Ana, California. He went on to earn a Bachelor's Degree from University of California, Irvine and a Masters from the University of La Verne.

One of his proudest affiliations was through the work he did with the American GI Forum, where John rose to serve as the California State Treasurer for the organization.

John was also a member of the Latino Advocates for Education, where he worked on

documenting the military service of Latino veterans. He also helped Anaheim Latino youth gain scholarships through his membership and participation in the LULAC Anaheim Council.

A 26-year veteran of Northrop Grumman, John was a true patriot who carried out his duties with passion and integrity.

John and his wife, Linda, founded the Hispanic Advisory Council to CASA (Court Appointed Special Advocates of Orange County). Their efforts continue to impact the Hispanic youth that CASA serves.

John Lopez was a true public servant to his community. While he will be greatly missed, his contributions will benefit future generations.

HONORING THE NAPA COUNTY
FARM BUREAU**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Napa County Farm Bureau on the occasion of its centennial anniversary.

The Napa County Farm Bureau was initiated in 1913 when at a meeting of the Napa Grange, H. J. Baade stated that the University of California at Berkeley would hire a scientifically trained man with at least four years of practical farming experience and place him in any county that would agree to organize a Farm Bureau. The Napa Grangers instructed the District Attorney to assist the Secretary of the Napa Chamber of Commerce to organize a Bureau of at least one-fifth of all the farmers in the county.

Today, the mission of the Napa County Farm Bureau is to ensure the proper political, social, and economic climate for the continuation of a strong, vibrant and sustainable agricultural economy. The Farm Bureau is one of the county's major voices for land stewardship, agricultural sustainability, and open space preservation and conservation. Over the last four decades, the Napa County Farm Bureau has led the resistance to the trend toward paving over farmland across the state and nation, and worked with County government leaders to designate agriculture as its most precious resource—the highest and best use of the land.

Countless members of the community have given much of their time and talent to help improve the agricultural conditions of Napa County. The organization is guided by a Board of Directors and supported by a multitude of dedicated volunteers. The Napa County Farm Bureau will honor 52 Centennial Napa County farm families who have been farming in the county for 100 or more years on August 3rd.

Mr. Speaker, throughout its 100 year history, the Napa County Farm Bureau has worked to protect family farms and ranches, maintain and enhance Napa's rich agricultural heritage, and promote good stewardship of Napa's soils, watersheds, wildlife habitat and open space. It is therefore appropriate that we acknowledge the Napa County Farm Bureau today and wish it great success in future years.

A COMPARATIVE ANALYSIS OF THE DEVELOPMENT AND APPLICATION OF MARINE NAVIGATION SAFETY AND MARINE ENVIRONMENTAL PROTECTION CRITERIA FOR OFFSHORE RENEWABLE ENERGY INSTALLATIONS

HON. PAUL C. BROWN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2013

Mr. BROWN of Georgia. Mr. Speaker, on April 16, 2013, the House Science, Space, and Technology Subcommittees on Oversight and Energy held a joint hearing titled, "Assessing the Efficiency and Effectiveness of Wind Energy Incentives." The attached document contains excerpts from an analysis that is part of the record for that hearing.

"A COMPARATIVE ANALYSIS OF THE DEVELOPMENT AND APPLICATION OF MARINE NAVIGATION SAFETY AND MARINE ENVIRONMENTAL PROTECTION CRITERIA FOR OFFSHORE RENEWABLE ENERGY INSTALLATIONS, MARCH 11, 2013", BY: JOHN F. MCGOWAN, RADM USCG (RET), FOR: THE MCGOWAN GROUP, LLC.

INTRODUCTION

The following has been excerpted from an analysis performed in March 2013 by The McGowan Group, LLC.

In recent years, the Department of the Interior's Bureau of Ocean Energy Management (BOEM) and the U.S. Coast Guard (USCG) has taken steps to establish a process and standards for the leasing of areas for development of Offshore Renewable Energy Installations (OREIs) on the U.S. Outer Continental Shelf (OCS). In 2006, the USCG embarked on setting standards to safeguard marine safety and marine environmental protection for the siting and operation of OREIs on the nation's waterways and oceans. In response to special legislation enacted in 2006, the USCG was also required to establish navigational safety terms and conditions (T&C) specifically for Nantucket Sound due to the proposal for the 130 turbine Cape Wind Associates (CWA) OREI.

This report provides a comparative analysis of the T&C for Nantucket Sound under Section 414 of the Coast Guard Maritime Transportation Act of 2006 (CGMTA) and the navigational safety actions taken elsewhere or now under development by USCG and BOEM. As this report concludes, the Nantucket Sound standards provide significantly less protection for navigation safety than the comparative measures established or proposed for every other OREI location.

THE SITE AND THE DESIGN (NANTUCKET SOUND AND CAPE WIND)

Nantucket Sound is not only a heavily used body of water, but one of the most dangerous places to navigate in the U.S. In fact, the seaman's' handbook, The Coast Pilot, singles out Nantucket Sound for special caution due to the frequent occurrence of wind, fog, and high velocity currents.

Horseshoe Shoal, found near the center of Nantucket Sound, is a well-known and marked hazard whose rocks are seldom visible above the Sound's surface. Water depths in and around the Shoal vary from 2 ft. to nearly 60 ft. The shoal is bounded by the North Channel, which runs below Great Neck and Hyannis, and the Main Channel, which runs from Vineyard Sound from the west to the Atlantic Ocean to the east. The Main Channel that the CWA facility would abut has a controlling depth of thirty feet. The proposed project site is virtually surrounded

by general anchorages for vessels awaiting entry into port, conducting repairs, or escaping or riding-out bad weather or visibility that is common in Nantucket Sound.

Other than marked channels and charts, there are no Traffic Separation Schemes (TSS), vessel traffic reporting or control systems in place in the Sound. The port of Boston, Buzzards Bay, the Cape Cod Canal, and Rhode Island Sound all have TSS ship routes, or in the case of the Cape Cod Canal and Buzzard's Bay, vessel reporting systems in place. These USCG systems significantly mitigate navigational risk and play a prominent role in the navigational risk assessment for other areas being considered as potential sites for offshore wind facilities on the Atlantic coast. The absence of TSS or other vessel control measures makes navigational risk in the Sound subject to comparatively greater risks.

While the Main Channel in Nantucket Sound can support vessels with drafts up to 24 ft., including cruise liners, it also serves as the main artery for ferries connecting the Sound's islands and for an estimated 250 large oceangoing fishing vessels. The proposed site for the CWA facility borders these channels and routes extensively used year-round by the ferry systems, some of which offer high-speed service at 30 knots on all its sides.

The CWA proposal would place the WTGs directly adjacent to these busy vessel routes, in some cases to be constructed within 975 ft. to 1,200 ft. from the edge of the North and Main channels, respectively. Without an additional buffer from these routes, an allision with the nearest WTGs would occur in a mere 60 seconds, at normal speeds, for a vessel or boat that leaves the channel. A high speed ferry would have 20 seconds to detect, take action, and respond to avoid such allisions. Collision risk with vessels traveling within or adjacent to the project site also would be a problem due to WTG interference with navigation and collision avoidance radar.

SECTION 414 AND THE 2008 MMS FEIS

In 2005, Congress enacted Section 414 of the Coast Guard Maritime Transportation Act of 2006 (CGMTA). Section 414 requires the USCG to "specify the reasonable terms and conditions the Commandant determines necessary to provide for navigational safety with respect to the proposed lease, easement, or right-of-way and each alternative to the proposed lease, easement or right-of-way considered by" the Secretary of the Interior for an offshore wind energy facility in Nantucket Sound.

Section 414 makes it clear that the T&C are to protect the navigational status quo, not to protect CWA or its design. The USCG can fulfill this duty only by developing T&C that ensure the project does not present navigational risks, including the possible need to alter the project design through the establishment of a buffer zone from existing shipping and ferry routes, or to deny the lease application at the proposed location. The burden to provide for navigational safety belongs to CWA, not to mariners, fishermen, or the public.

In late 2008, USCG altered its approach that would have addressed navigation safety concerns by including changes to the project, to instead adopt the position that the project had to be accepted as it was proposed. As a result, all burden for safety was placed on mariners and USCG did not recommend a safety separation or buffer zone from the Sound's established channels and shipping routes. Several lawsuits are pending against the CWA project, including challenge of the USCG T&C.

BOEM'S EAS

BOEM began implementing DOI's "Smart from the Start" initiative in 2011 with USCG

and other agencies to produce environmental assessments (EAs) for offshore wind development. The initiative called for the identification of areas on the Atlantic OCS that were most suitable for commercial wind energy and the availability of those areas for leasing and site assessment. During 2011, BOEM published Notices identifying those ocean areas and requested public comment.

Significant public comment was received from maritime interests in response to the BOEM Notices. Major changes were made to the various Wind Energy Areas (WEAs) including excluded areas. The EAs provide mitigation of marine navigation risk by outright exclusion of areas that could produce navigation or fishing conflict and by providing safe separation/buffer zones between WEAs and vessel routes. The following safety criteria are evident from the final selection of lease blocks in these EAs:

The presence of Traffic Separation Schemes (TSS) or other vessel routing/control measures facilitate the safe designation of WEAs in ocean areas bearing volumes of marine traffic and/or fishing activity.

Safety separation/buffer zones of 1 nm from TSSs and from shipping routes should be applied in WEA identification as well as in subsequent site selection.

Marine traffic routes and fishing areas should be identified and their densities estimated and projected for future growth and expansion in defining the limits of WEAs.

Blocks should be excluded which would conflict with the safe operation and transit of shipping on recognized routes and from vessels working in traditional fishing areas.

None of these criteria were applied to the siting, size and shape of the CWA proposal for Nantucket Sound.

USCG ACPARS

Concurrent with the BOEM "Smart from the Start" process, in 2011, USCG embarked on a separate study whose scope would influence OREI facility siting and design. The USCG issued its first and interim report in July 2012. The final report is not expected to be issued until the end of 2013.

The core of the USCG ACPARS analysis and the basis for its recommended exclusions from the WEAs proposed in the BOEM Notices is the "R-Y-G" methodology developed from standards and criteria for OREIs applied in the UK and which provide three break points between WEAs and vessel traffic routes:

1 nm—The minimum separation distance to the parallel boundary of a TSS. At this distance there would still be S band radar interference and automatic radar plotting aid (ARPA) is adversely affected. This is also the boundary between High/Medium navigational safety risk.

2 nm—The separation distance where compliance with COLREGS becomes less challenging, mitigation measures would still be required to reduce risk As Low as Reasonably Practicable (ALARP). This is also the boundary between Medium/Low navigational safety risk.

5 nm—The separation distance where there are minimal impacts to navigational safety and risk should be acceptable without additional mitigation. This is also the boundary between Low/Very Low navigational safety risk.

ACPARS examined the shipping routes and patterns for each area as well as individual blocks in the WEAs proposed by BOEM. Blocks that were determined to be hazardous to marine navigation and to the marine environment were "colored" RED, which the group defined as: "those blocks, or portions of blocks, that cannot/should not be developed now or in the future because of vessel traffic usage. Development of these blocks